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State of Utah

DEPARTMENT OF NATURAL RESOURCES

MICHAEL R. STYLER
Executive Director

Division of Oil, Gas and Mining

JOHN R. BAZA
Division Director

December 9, 2011

David Morris
18006 North 59350 West
Park Valley, Utah 84329

Subject: Initial Review of Amended Notice of Intention to Commence Large Mining Operations, Dove Creek Quarries, LLC, Dove Creek Quarry, M/003/0016, Box Elder County, Utah

Dear Mr. Morris:

The Division of Oil, gas and Mining has completed a review of the referenced amended Notice of Intention to Commence Large Mining Operations (NOI) which was received June 9, 2011. The attached comments will need to be addressed before tentative approval may be granted.

In general, when amending an NOI, you need to provide the amendment as replacement and/or additional pages, maps, etc., that can be inserted into the approved NOI. This keeps the NOI updated for the Division, other agencies, and the operator. This results in fewer non-compliance issues and a better working relationship between regulators and operators. The Division has developed Form MR-REV, which will aid you in keeping track of the necessary changes (whether they be amended text or maps, removal of pages or maps, or addition of pages or maps. This form is available on our website at www.ogm.utah.gov/minerals.

When preparing an amendment or revision to an NOI, all appropriate rules and regulations must be addressed. When submitted as revised/added pages, those sections of the approved plan relating to the amendment are in place and don't need to be resubmitted as opposed to a stand-alone document. With the initial submittal, the amended pages would show the current text to be changed as strike-out and the new text as underlined. This makes it much easier for reviewers to see where and how the changes are being made.

At this time, the Division is denying the proposed amendment. Most of what was provided does not meet the requirements of the rules. The attached review discusses what needs to be provided (specific to the amendment) for us to consider it for approval. After reviewing the document, you may wish to schedule a meeting with Division staff to further clarify what is needed to amend your NOI.



Page 2 of 6
David Morris
M/003/0016
December 9, 2011

Denial of this proposed amendment does NOT affect the current approved NOI. You may still operate as per the current approved plan. If you have any questions in this regard please contact me at 801-538-5261 or Lynn Kunzler at 801-538-53110. Thank you for your cooperation in completing this permitting action.

Sincerely,

A handwritten signature in black ink, appearing to read "PBB", with a stylized flourish extending to the right.

Paul B. Baker
Minerals Program Manager

PBB:lk:eb

Attachment: Review

cc: Heidie Torrealday, USFS (htorrealday@fs.fed.us)

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Page 3 of 6
David Morris
M/003/0016
December 9, 2011

**INITIAL REVIEW OF NOTICE OF INTENTION
TO COMMENCE LARGE MINING OPERATIONS
Dove Creek Quarries, LLC
Dove Creek Quarry**

**M/003/0016
December 9, 2011**

General Comments:

Comment #	Comments
1	Submittal should be formatted to easily incorporate additional revisions and amendments.
2	Additional comments from the Division can be generated in the future based on submittals received in the future, every attempt should be made by the Operator to submit a complete NOI the first time around.

R647-4-105 - Maps, Drawings & Photographs

105.1 - Topographic base map, boundaries, pre-act disturbance

Comment #	Comments
3	Only one map was provided with this amendment. This map does not include all the current approved area of the NOI. The legend does not identify each item shown on the map. There is no map scale (prefer a bar scale). The map lacks detail of how the proposed area will be mined, including locations of quarry areas, topsoil stockpiles, overburden stockpiles, work areas, or any facilities (even if temporary or portable in nature such as office/equipment storage trailers, etc). All items required for maps in the original NOI need to be included for the area that is proposed to be added to the permit area.

105.2 - Surface facilities map

Comment #	Comments
4	A detailed map for the amended area is needed. Much of the information discussed under comment #3 would more appropriately be on this map.

105.3 - Drawings or Cross Sections (slopes, roads, pads, etc.)

Comment #	Comments
5	Cross sections of all pit areas associated with the proposed amendment need to be provided. These cross sections need to show current topography, mined out topography and the final regraded/reclaimed topography.

105.4 - Photographs

Comment #	Comments
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Comment #	Comments
6	While not specifically required, photographs of the proposed expansion area can help clarify some aspects of your plan, especially as they may relate to any previous disturbances, vegetation conditions, and soil conditions.

R647-4-106 - Operation Plan

106.1 - Minerals mined

Comment #	Comments
7	This section would not necessarily need to be revised provided your amendment was made as replacement or added pages to the approved NOI.

106.2 - Type of operations conducted, mining method, processing etc.

Comment #	Comments
8	This section would not necessarily need to be revised provided your amendment was made as replacement or added pages to the approved NOI.

106.3 - Estimated acreages disturbed, reclaimed, annually

Comment #	Comments
9	Current tables in the approved NOI should be changed with redline/strike out to show the acreage being added under the various classes/categories.

106.4 - Nature of materials mined, waste and estimated tonnages

Comment #	Comments
	Current tables in the approved NOI should be changed with redline/strike out to show the changes, if any, to the nature of the mined material, waste material and estimated tonnages of these materials.

106.5 - Existing soil types, location, amount

Comment #	Comments
10	The proposed change in the disturbed area footprint needs to be shown on the soils map. Descriptions of any 'new' soil types that are in the expansion area need to be provided. The soil salvage tables need to be revised to show the additional volume topsoil from the expansion area that will be salvaged and stockpiled for reclamation.

106.6 - Plan for protecting & re-depositing soils

Comment #	Comments
11	This section may not necessarily need to be revised, assuming that the soil type is already described and assuming there are no changes to the depth of soil salvage and replacement or plans for protecting new stockpiles.

106.7 - Existing vegetation - species and amount

Comment #	Comments
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Comment #	Comments
12	This section would not need to be revised unless there will be new vegetation community types that will be affected (disturbed) by the proposed expansion.

106.8 - Depth to groundwater, extent of overburden, geology

Comment #	Comments
13	This section would not need to be revised unless there are differences in the geology or hydrology of the expansion area.

106.9 - Location & size of ore, waste, tailings, ponds

Comment #	Comments
14	This information needs to be provided on the appropriate maps.

R647-4-108 - Hole Plugging Requirements

Comment #	Comments
15	Unless there is any drilling proposed, this section would not need to be revised.

R647-4-109 - Impact Assessment

109.1 - Impacts to surface & groundwater systems

109.2 - Impacts to threatened & endangered wildlife/habitat

109.3 - Impacts on existing soils resources

109.4 - Slope stability, erosion control, air quality, safety

Comment #	Comments
16	Please provide discussion of any additional impacts to the resources listed above. In some cases, the additional impacts may only be the nature of the increased disturbance.

109.5 - Actions to mitigate any impacts

Comment #	Comments
17	Provide appropriate changes to any mitigation actions/plans related to the expansion. This would include copies of any changes to items such as water control (SWPPP) plans, air quality approval orders, etc.

R647-4-110 - Reclamation Plan

110.1 - Current & post mining land use

Comment #	Comments
18	It is likely that this section would not need to be addressed.

110.2 - Roads, highwalls, slopes, drainages, pits, etc., reclaimed

Comment #	Comments
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Comment #	Comments
19	Discuss how new roads, pits, highwalls, etc., will be reclaimed. Provide sufficient detail to determine reclamation costs (i.e. estimated volume of material to be backfilled, depth of ripping, etc.).

110.3 - Description of facilities to be left (post mining use)

Comment #	Comments
20	Describe only those facilities/features that will remain unreclaimed. Explain how they will be utilized for the post mining land use. If all facilities/features will be removed/reclaimed, please so indicate.

110.4 - Description or treatment/disposition of deleterious or acid forming material

Comment #	Comments
21	It is unlikely this section will need to be addressed.

110.5 - Revegetation planting program

Comment #	Comments
22	Provide details of the revegetation plan that may differ from the current approved plan.

R647-4-112 - Variance

Comment #	Comments
23	If any variances are being requested for the expansion area, please provide descriptions of the variances, the specific rule for which variances are being requested, justification for why the variances are needed, and proposed alternative measures that will be taken to meet the intent of the rules. Any area for which a variance is being requested should be shown on a reclamation map.

R647-4-113 - Surety

Comment #	Comments
24	Please provide a detailed reclamation cost estimate for the expansion area. The Division has a bonding worksheet available on the web at www.ogm.utah.gov/minerals/bonding to assist you in developing the reclamation cost estimate.